IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

PIL WRIT PETITION NO.21 OF 2006

Cyril Thomas Macwan .. Petitioner
v/s.
The Municipal Corporation of Greater Mumbai
and others. .. Respondents

Mr.A.A.Joshi i/by Mr.P.M.Havnur for the petitioner.

Mr.K.K.Singhvi, senior counsel with Ms.P.A.Purandare for the respondent Nos.1 and 2.

Mr.V.A.Thorat, senior counsel i/by Mr.S.G.Surana for the respondent No.3.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 16TH AUGUST, 2006.

P.C.

The development of the property on the final plot No.490, 491, situate at TPS-III, 33rd Road, Linking Road, Bandra (West), Mumbai by the respondent No.3 has been undertaken after plans were sanctioned by the Deputy Chief Engineer, Building Proposal, Municipal Corporation of Greater Mumbai.

2. Mr.K.K.Singhvi, senior counsel for the respondent Nos.1 and 2 submits that there is no illegality in sanction of the plans as it is based on the directive dated 6.11.2001 issued by the State Government under section 154 of the Maharashtra Regional and Town Planning Act, 1966. Mr.K.K.Singhvi also submits that such

directive is binding on the Corporation. There is no challenge to the directive issued by the State Government under section 154 of the MRTP Act, 1966.

3. In this view of the matter, we are satisfied that the writ petition does not deserve to be entertained. It is disposed of accordingly.

(R.M.LODHA, J.)

(S.A. BOBDE, J.)